

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Devonn Curtis,

Plaintiff,

v.

Case No. 2:25-cv-91

District Judge James L. Graham

Magistrate Judge Elizabeth P. Deavers

Washington County Sheriff's Office, *et al.*,

Defendants.

Order

This matter is before the Court on the Magistrate Judge's July 14, 2025 Order and Report and Recommendation. The Magistrate Judge conducted an initial screen of the complaint under 28 U.S.C. § 1915(e)(2) and recommended that the complaint be dismissed except with respect to plaintiff's Fourteenth Amendment excessive-force claim against Defendant Sgt. Kunze.

No objections to the Report and Recommendation have been filed. Upon review, the Court agrees with the Report and Recommendation (Doc. 7), which is hereby adopted. Accordingly, the Court DISMISSES WITH PREJUDICE plaintiff's claims against the Washington County Sheriff's Office for failure to state a claim upon which relief can be granted. 28 U.S.C. §§ 1915(e)(2)(B); 1915A(b). The Court DISMISSES WITHOUT PREJUDICE plaintiff's claims against the unnamed defendants for failure to state a claim upon which relief can be granted. Plaintiff may proceed with his Fourteenth Amendment excessive-force claim against Defendant Sgt. Kunze in his individual and official capacities.

The Court reminds plaintiff of the Magistrate Judge's order that within 30 days of the July 14, 2025 Order and Report and Recommendation that he submit a completed summons form and a completed United States Marshal form for Defendant Sgt. Kunze. Failure to do so may result in dismissal of the action for want of prosecution.

s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: August 7, 2025